

Community Preservation Advisory Committee

January 14, 2003

11:00 am – 1:00 pm

State Office Building Room 201

- I Welcome (5 minutes – *all times approximate*)
- II Recap 3rd Meeting and Review Agenda (5 min)
 - Bills submitted before cloture
 - Report to Natural Resources Committee due
 - Consider Committee's short-term and long-term priorities / activities
- III Discuss the theme and content of the report (due 1/31), focusing on priorities for this session and 2003 – see Proposed Outline (40 min)
 - Members will discuss whether to postpone advancing certain bills / themes until next legislative session
 - Bills that have been submitted to the Revisor:
 - Resolve to amend Article IX, Section 19 of the Maine Constitution to permit funding transit from motor vehicle and motor vehicle fuel revenues.
 - Bill to direct MDOT to incorporate regionalism in the Transit Bonus Payment Program rules, if they are unable to modify the rules before they are finalized. (NOTE: These are routine technical rules, so this may not require legislative action.)
 - Bill to direct MDOT promulgate rules to give preference in funding programs to communities that allow increased density (transit sufficient density) in their growth areas.
 - Bill to authorize the use of a tax increment financing (TIF) or TIF-like tool to promote affordable housing. A CPAC subcommittee will be meeting to provide additional information (scope, applicability, administration) in the next few weeks by a subcommittee of CPAC members and other key interested parties.
 - Two bills were submitted to the Revisor's Office. The first expanded the existing TIF legislation to include residential development and kept the program in DECD, based on language drafted by Gary Wood and MSHA. The second created a new TIF program housed at MSHA, based on language drafted by DECD.
 - Bill to address affordable housing. Start with a shell of LD 2099 (the applicability and definitions), and create opportunities for local incentives (TIF-like incentives, density transfer fees) for developing affordable housing. Retain Design Guidelines and the direction to create rules; incorporate road width flexibility in Design Guidelines. *This bill needs significantly more information, such as the source of the funding for the incentives, before it can be drafted.*
 - From the Affordable Housing Subcommittee Meeting on 12/15: Using the Definitions, Board description, and development criteria from LD 2099, submit a bill that will create a fund known as "Affordable Neighborhood Development Fund." MSHA will create rules and administer incentive funding (grants) based on decisions of the Board described under 2099, using standards in 2099. Applications to the board would be joint between the developer(s) and the town(s). Grants would be used to compensate municipalities for expenses related to the project / impacts on transportation (roads, sidewalk), sewer and water, schools, and/or

open space preservation. Money would be released based on certificate of occupancy; funds would be relative to the number of units (amt of funding per unit). Direct Board to work with other agencies (MDOT and LMF) to meet funding needs before allocating own resources. Sunset 10/08 (five years). Report back to legislature January '05 and January '07.

- Bill to offer incentives to communities for adopting both a building code and the rehab component of *either* type (BOCA or Health and Safety), for example preferences for DECD-administered economic development grants - e.g., MITF, preferences within slum and blight funding. *This bill needs significantly more information, such as the source of the funding for the incentives, before it can be drafted.*
- Bill mirroring the original language proposed to the 2001 Growth Management Task Force regarding local rate of growth ordinances (growth caps) (new Title 30-A, §4360).
- Bill mirroring the original language of LD 796, "Limitation on Ordinance Power" to address retroactive moratoria on building (and other reversed local decisions) that are a result of citizen-initiated referenda.
- Non-Legislative Actions Recommended by the CPAC:
 - Insert incentives / points for regional cooperation in Transit Bonus rules. MDOT is reviewing the rules, which have not been finalized, to see if modification is possible in the short term.
 - Recommend SPO and MDOT clarify and update Chapter 202, the Comprehensive Plan Review Criteria Rule, or create a new MDOT rule regarding adequate transportation infrastructure inventory, analysis, and policies in the review of local comprehensive plans. One goal of the rules would be to align the rules with the goals of the Sensible Transportation Act. (A MDOT rule would require legislative direction.)
 - Work on outreach and communication on affordable housing agenda (TIFs and incentivized "Livable, Affordable Housing" bill), especially in those Labor Market Areas with the greatest problem. Hold forums sponsored by MSHA, CPAC, SPO (and others).
 - Recommend SPO update Chapter 202, the Comprehensive Plan Review Criteria Rule and create a new rule (Rate of Growth Ordinance Review Criteria Rule), to evaluate growth caps against comprehensive plans.

IV Building support for bills supported by the CPAC and proposed by CPAC legislative members during this session (30 min)

V Priority topics that need additional research before the Committee reconvenes after the Legislative Session (and the means to conduct it) (30 min)